



STATE OF WISCONSIN

Assembly Journal

Ninety–Third Regular Session

9:30 A.M.

WEDNESDAY, February 12, 1997

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Wood.

Representative Ainsworth led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Baldwin, Baumgart, Black, Bock, Boyle, Brandemuehl, Carpenter, Coggs, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Schneider, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, L. Young, R. Young, Ziegelbauer, Zukowski and Speaker Brancel – 99.

Absent with leave – None.

LEAVES OF ABSENCE

Representative Green asked unanimous consent for a leave of absence for part of today's session for Representative Ward. Granted.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 96–158

Relating to continuing medical education for podiatrists. Submitted by Department of Regulation and Licensing. Report received from Agency, January 30, 1997. To committee on **Health**. Referred on February 11, 1997.

Assembly Clearinghouse Rule 96–170

Relating to the granting of state aid to airport owners. Submitted by Department of Transportation. Report received from Agency, February 5, 1997. To committee on **Highways and Transportation**. Referred on February 12, 1997.

Assembly Clearinghouse Rule 96–171

Relating to the Wisconsin interstate fuel tax and the international registration plan. Submitted by Department of Transportation. Report received from Agency, February 5, 1997. To committee on **Highways and Transportation**. Referred on February 12, 1997.

Assembly Clearinghouse Rule 96–173

Relating to the grounds for discipline for individuals who are credentialed as speech–language pathologists and audiologists. Submitted by Department of Regulation and Licensing. Report received from Agency, January 30, 1997. To committee on **Consumer Affairs**. Referred on February 11, 1997.

Assembly Clearinghouse Rule 96–181

Relating to the minimum wage. Submitted by Department of Workforce Development. Report received from Agency, February 7, 1997. To committee on **Labor and Employment**. Referred on February 12, 1997.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 27

Relating to: celebrating March 1, 1997, as St. David's Day.

By Representatives Owens, Freese, Gronemus, Hahn, Hutchison, Ryba and Turner; cosponsored by Senators Grobschmidt, Buettner and Wirch. To committee on **Rules**.

Assembly Joint Resolution 28

Relating to: declaring the week of February 24, 1997, African–American Cultural Heritage Week.

By Representative Morris–Tatum; cosponsored by Senator Moore. To committee on **Rules**.

Assembly Bill 74

Relating to: forfeiture of property used to commit certain crimes and court fees in property forfeiture proceedings.

By Representatives Dobyms, Porter, Murat, Freese, Musser, Ladwig, Hahn, Wasserman, Schafer, Gunderson, Kelso, Lazich, Plale, Vander Loop and Huber; cosponsored by Senators Buettner, Clausing, Huelsman, Wirch, Schultz, Rosenzweig and Cowles.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 75

Relating to: prohibiting cities, villages, towns, counties and school districts from imposing residency requirements on certain employees.

By Representatives Dobyms, Jensen, Huebsch, Lazich, Freese, Ladwig, Handrick, Johnsrud, Urban, Musser, Gunderson, Kreibich, Nass and Schafer; cosponsored by Senators Fitzgerald, Welch and Huelsman.

To committee on **Urban and Local Affairs**.

Assembly Bill 76

Relating to: requiring insurance coverage of preventive pediatric health care services.

By Representatives Carpenter, Bock, R. Potter, Cullen, Hasenohrl, Gronemus, Musser, R. Young, Turner, Baldwin, Morris-Tatum, Notestein, Kreuser and Wasserman; cosponsored by Senators Clausing, Burke, Wirch and Rosenzweig.

To committee on **Consumer Affairs**.

Assembly Bill 77

Relating to: the summer externship program for students enrolled in the University of Wisconsin Medical School and the Medical College of Wisconsin and making an appropriation.

By Representatives Carpenter, Kreibich, Wasserman, Huber, Meyer, Olsen, Hasenohrl, Ainsworth, Black, Lorge, Baldwin, R. Potter, Seratti, Notestein and Boyle; cosponsored by Senators Rosenzweig, Burke, Moen, Wirch, Clausing and Panzer.

To joint committee on **Finance**.

Assembly Bill 78

Relating to: following snowplows.

By Representatives Hasenohrl, Freese, Ryba, Gronemus, Musser, Underheim, Turner, Goetsch, Ainsworth, Linton, Dobyms, Otte, Boyle, Seratti, Ward and Green; cosponsored by Senators Shibilski, Breske and Schultz.

To committee on **Highways and Transportation**.

Assembly Bill 79

Relating to: hunting of antlerless deer by certain holders of certificates of accomplishment issued under the hunter education and firearm safety program.

By Representatives Hasenohrl, Kreuser, Linton, Albers, Powers, Ainsworth, Lorge, Boyle, Gronemus, Gunderson, Seratti, Vander Loop and Springer; cosponsored by Senators Shibilski, Clausing and Schultz.

To committee on **Tourism and Recreation**.

Assembly Bill 80

Relating to: reimbursement of costs incurred because of discharges from heating oil tanks that serve buildings primarily used for religious worship and heating oil tanks that serve nonprofit private schools.

By Representatives Grothman, Baumgart, Dobyms, Huebsch, Kelso, Lazich, Musser, Olsen, Otte, Ryba, Ziegelbauer and Zukowski; cosponsored by Senators C. Potter, Welch, Grobschmidt and Huelsman.

To committee on **Environment**.

Assembly Bill 81

Relating to: allowing managed forest land to be located in cities.

By Representatives Skindrud, Ainsworth, Goetsch, Hahn, Musser, Powers, Seratti, Zukowski, Baumgart and Murat.

To committee on **Natural Resources**.

Assembly Bill 82

Relating to: the participation of school districts in tax incremental financing districts.

By Representatives Ainsworth, Goetsch, Ladwig, F. Lasee, Musser, Ott, Otte, Owens, R. Young and Zukowski, by request of Wisconsin School Boards Association.

To committee on **Ways and Means**.

Assembly Bill 83

Relating to: hours of labor and one day of rest in 7 for persons employed in the manufacture of butter, cheese or other dairy products from nonperishable milk, in the distribution of nonperishable milk or cream or in canning or freezing nonperishable agricultural commodities and granting rule-making authority.

By Representatives Vander Loop, Ryba, Ainsworth, Baldwin, Bock, Boyle, Linton, Musser and Springer; cosponsored by Senators Decker and Breske.

To committee on **Labor and Employment**.

Assembly Bill 84

Relating to: independent disbursements by former personal campaign committees.

By Representatives Carpenter, Murat, Powers, R. Young, Hasenohrl, Notestein, R. Potter, Dobyms, Bock, Ryba and Boyle; cosponsored by Senators Plache and Moen.

To committee on **Campaign Finance Reform**.

Assembly Bill 85

Relating to: the retail sale of firearms and providing a penalty.

By Representatives Urban, Duff, M. Lehman, Bock, Wasserman, Notestein, R. Potter, Riley, La Fave, Morris-Tatum, Boyle and Baldwin; cosponsored by Senators Rosenzweig, Wineke, Risser and Burke.

To committee on **State Affairs**.

Assembly Bill 86

Relating to: assuring financial responsibility for the operation of motor vehicles, granting rule-making authority and providing a penalty.

By Representatives Baumgart, Gunderson, Ainsworth, Black, Cullen, La Fave and F. Lasee; cosponsored by Senators Rude, Jauch and Buettner.

To committee on **Consumer Affairs**.

Assembly Bill 87

Relating to: the requirement of giving audible signal prior to overtaking vehicles to the left.

By Representatives Baumgart, Baldwin, Brandemuehl, Ainsworth, Albers, Black, Bock, Gronemus, Grothman, Gunderson, Kreuser, Krug, Ladwig, Lorge, Morris–Tatum, Musser, Otte, Powers, Reynolds and R. Young; cosponsored by Senator Moen.

To committee on **Highways and Transportation**.

Assembly Bill 88

Relating to: the regulation of outdoor light fixtures and bulbs or lamps used in outdoor light fixtures and granting rule-making authority.

By Representatives Baumgart, Powers, Black, Boyle, R. Potter and R. Young.

To committee on **Urban and Local Affairs**.

Assembly Bill 89

Relating to: exempting the sales of flex-time time-share property from the sales tax.

By Representatives Handrick, Lorge, Ryba, Underheim, Goetsch, Grothman, Hasenohrl, F. Lasee, Urban, Springer, Vander Loop, Dobyns, Krusick, Schneider, Travis, Gunderson and Kelso; cosponsored by Senators Breske, George, Zien, Schultz, Wirch, Grobschmidt, Jauch, Burke and Drzewiecki.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 90

Relating to: time limits for prosecution of crimes against children.

By Representatives Krusick, Baldwin, Bock, Lazich, J. Lehman, Plale and Wasserman; cosponsored by Senators Buettner, Darling, Plache and Risser.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 91

Relating to: the recovery of costs of enforcing laws involving operating a motor vehicle while under the influence of alcohol or a controlled substance or both.

By Representatives Krusick, Albers, Baumgart, Bock, Dobyns, Hahn, Harsdorf, Krug, La Fave, J. Lehman, M. Lehman, Notestein, Olsen, Ott, Otte, Plale, Ryba, Schafer, Staskunas, Turner, Urban, Walker and Wasserman; cosponsored by Senators Wirch, Buettner, Cowles, Darling, A. Lasee and Farrow.

To committee on **Judiciary**.

Assembly Bill 92

Relating to: substitution of judges in criminal cases.

By Representatives Krusick, Goetsch, Ainsworth, Brandemuehl, Dobyns, Duff, Gunderson, Ladwig, F. Lasee, Lazich, M. Lehman, Musser, Olsen, Otte, Porter, Powers, Seratti and Walker; cosponsored by Senators Buettner, A. Lasee, Weeden and Farrow.

To committee on **Judiciary**.

Assembly Bill 93

Relating to: abuse of vulnerable adults and providing penalties.

By Representatives Krusick, Ainsworth, Black, Bock, Carpenter, Dobyns, Freese, Gunderson, Hahn, Hasenohrl, Kelso, Kreuser, Ladwig, La Fave, J. Lehman, Meyer, Musser, Notestein, Olsen, Ott, Ourada, Plale, R. Potter, Powers, Riley, Ryba, Seratti, Springer, Steinbrink, Turner, Walker and Wasserman; cosponsored by Senators Buettner, Drzewiecki, Farrow, Huelsman, Plache, Rosenzweig and Wirch.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 94

Relating to: transporting bulk materials on a highway.

By Representatives Krusick, Schneider, Black, Bock, Boyle, Carpenter, Cullen, Grothman, Kaufert, Murat, Notestein, R. Potter, Robson, Springer, Turner, Urban, Williams and R. Young; cosponsored by Senators Adelman, Cowles, Darling, Grobschmidt, Wineke and Wirch.

To committee on **Highways and Transportation**.

Assembly Bill 95

Relating to: creating a property tax exemption for nonprofit organizations that rehabilitate housing for sale to low-income persons.

By Representatives Otte, Ziegelbauer, Jensen, Schneider, Linton, Kaufert, Albers, Baumgart, Bock, Boyle, Cullen, Dobyns, Green, Gronemus, Hasenohrl, Huber, Hutchison, Kelso, La Fave, J. Lehman, Murat, Musser, Notestein, Olsen, Ott, Owens, Plouff, Reynolds, Schafer, Springer, Vander Loop, Ward and L. Young; cosponsored by Senators C. Potter, Decker, Jauch, Shibilski, Breske, Buettner, Grobschmidt, A. Lasee, Plache, Schultz, Weeden, Welch, Wirch and Zien.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 96

Relating to: vehicles or vehicle parts having an altered or obliterated vehicle identification number.

By Representatives Nass, Riley, M. Lehman, Kreibich, Ainsworth, Zukowski, Gunderson, Hahn, Musser, Albers, Goetsch, Schafer, Skindrud, Seratti, Gard, Grothman, Olsen, Ott, F. Lasee, Ward, Sykora, Foti, Turner, Handrick, Lorge and Owens; cosponsored by Senators Zien, Welch, Moore, A. Lasee, Schultz, Drzewiecki, Fitzgerald, Darling, Huelsman and Farrow.

To committee on **Highways and Transportation**.

Assembly Bill 97

Relating to: changing the name of the department of industry, labor and job development to the department of workforce development.

By Representatives Vrakas and Vander Loop; cosponsored by Senators Plache and Zien.

To committee on **Labor and Employment**.

Assembly Bill 98

Relating to: insurance coverage of hospital services after a mastectomy.

By Representatives Robson, Ladwig, R. Potter, Hanson, Baldwin, Seratti, Williams, Linton, Notestein, R. Young, Black, Musser, Cullen, Wasserman, Ziegelbauer, Carpenter, Turner, Reynolds, Ryba, Boyle and Gunderson; cosponsored by Senators Rosenzweig, Plache, Clausing, Buettner, Moen, Wirch and Risser.

To committee on **Mandates**.

Assembly Bill 99

Relating to: eligibility for the homestead tax credit.

By Representatives Murat, Goetsch, Reynolds, Hasenohrl, Boyle and Vander Loop.

To committee on **Ways and Means**.

Assembly Bill 100

Relating to: state finances and appropriations, constituting the executive budget act of the 1997 legislature, and making appropriations.

By joint committee on Finance, by request of Governor Tommy G. Thompson.

To joint committee on **Finance**.

COMMITTEE REPORTS

The committee on **Natural Resources** reports and recommends:

Assembly Bill 61

Relating to: fees for fish and game licenses and stamps, bear hunting, shining bear, the bear hunting approval system, the wildlife damage surcharge and granting rule-making authority.

Assembly amendment 2 adoption:

Ayes: 10 – Representatives Johnsrud, Powers, Brandemuehl, Ott, Gunderson, Hutchison, Black, Bock, Huber and Baumgart.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Johnsrud, Brandemuehl, Ott, Gunderson, Hutchison, Black, Bock, Huber and Baumgart.

Noes: 1 – Representative Powers.

To joint committee on **Finance**.

DUWAYNE JOHNSRUD
Chairperson
Committee on Natural Resources

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 24** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 24

Relating to: the life and public service of Martin Eugene Schreiber.

The question was: Shall **Assembly Joint Resolution 24** be adopted?

Motion carried.

Representative Foti asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 24**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 24** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 27** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 27

Relating to: celebrating March 1, 1997, as St. David's Day.

The question was: Shall **Assembly Joint Resolution 27** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 27** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 28** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 28

Relating to: declaring the week of February 24, 1997, African-American Cultural Heritage Week.

The question was: Shall **Assembly Joint Resolution 28** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 28** be immediately messaged to the Senate. Granted.

Representative Ott asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 28**. Granted.

Representative L. Young asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 28**. Granted.

Representative Coggs asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 28**. Granted.

Representative Coggs asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 28**. Granted.

CALENDAR OF WEDNESDAY, FEBRUARY 12

Assembly Joint Resolution 12

Relating to: 4-year terms of office for, appointment of, vacancies in the offices of, and the restriction on holding any other office by, sheriffs (2nd consideration).

The question was: Shall the vote by which **Assembly Joint Resolution 12** was adopted be reconsidered?

The roll was taken.

The result follows:

Ayes – Representatives Baumgart, Carpenter, Cullen, Dueholm, Hubler, Krug, La Fave, Lorge, Morris–Tatum, Schneider, Travis, Turner, Wood, R. Young and Ziegelbauer – 15.

Noes – Representatives Ainsworth, Albers, Baldwin, Black, Bock, Boyle, Brandemuehl, Coggs, Dobyns, Duff, Foti, Freese, Gard, Goetsch, Green, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hebl, Hoven, Huber, Huebsch, Hutchison, Jensen, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kelso, Klusman, Kreibich, Kreuser, Krusick, Kunicki, Ladwig, F. Lasee, Lazich, J. Lehman, M. Lehman, Linton, Meyer, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plale, Plouff, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schafer, Seratti, Skindrud, Springer, Staskunas, Steinbrink, Sykora, Underheim, Vander Loop, Vrakas, Walker, Wasserman, Wieckert, Williams, L. Young, Zukowski and Speaker Brancel – 82.

Paired for – Representative Urban – 1.
Paired against – Representative Ward – 1.

Absent or not voting – None.

Motion failed.

Representative Turner asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Foti asked unanimous consent that the Assembly stand recessed for until 2:39 P.M. Granted.

The Assembly stood recessed.

10:17 A.M.

RECESS

2:39 P.M.

The Assembly reconvened.

The Assembly was called to order by Speaker Brancel.

Speaker Brancel appointed Representatives Jensen and Linton to escort the Governor from his office to the Assembly Chamber.

Representative Ward asked unanimous consent that his leave of absence be lifted. Granted.

The Assembly stood informal.

The Assembly Sergeant–at–Arms announced the arrival of the members of the Senate.

JOINT CONVENTION

The houses went into joint convention.

Senate President Risser presiding.

Senator Risser recognized the presence of Chief Justice Shirley Abrahamson of the Wisconsin Supreme Court, Justice Patrick Crooks, Justice Ann Walsh Bradley, Lieutenant Governor Scott McCallum, and State Treasurer Jack Voight.

The Assembly Sergeant–at–arms Announced the arrival of Governor Thompson.

Escorted by Representatives Jensen and Linton, Governor Thompson took his place at the rostrum to deliver his budget message.

Pursuant to Joint Rule 73, the governor’s budget message is printed in the Senate journal only.

Representative Foti moved that the joint convention arise.

The question was: Shall the joint convention arise?

Motion carried.

3:45 P.M.

The Assembly reconvened.

Speaker Brancel in the chair.

ANNOUNCEMENTS

Representative Morris–Tatum asked unanimous consent that the Assembly adjourn in honor of civil rights activist Rosa Parks, on the occasion of her birthday on February 4. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold for his positive impact on Wisconsin’s environment for its citizens and their future. Granted.

Representative Hahn asked unanimous consent that the Assembly adjourn in honor of Darrin Schmitz of his office staff, who is leaving to work for Governor Thompson. Granted.

VISITORS

During today’s session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Robert, Deborah and Katy Clement from Sheboygan, guests of Representative Baumgart.

Sheriff Dale Olsen from Neillsville, guest of Representative Zukowski.

Sheriff Dick McCurdy from Juneau County, guest of Representative Albers.

Sheriff Dean Meyer from Rusk County and Sheriff William Breneman from Taylor County, guests of Representative Reynolds.

Sheriff Paul Burch from St. Croix County, guest of Representative Harsdorf.

Sheriff Weisenberg from Trempealeau County, Sheriff Brantner from Buffalo County, and Sheriff Andrews from Pepin County, guests of Representative Gronemus.

Dr. Howard Croft, guest of Representative Hoven.

Terry Dryden from Shell Lake, guest of Representative Hubler.

Sheriff Brad Gehring from Outagamie County and Sheriff Mike Brooks from Winnebago County, guests of Representative Klusman.

Dr. Tim Grass from South Milwaukee, guest of Representative Plale.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, February 25, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:46 P.M.